



Ref: COM / 2394

05 April 2019

Mr Dean Blackwood  
Director  
River Faughan Anglers Ltd

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Dear Mr Blackwood

**Complaint Stage 1 Planning application A/2011/0115/F – Proposed extension to quarry, etc, at Gortree Road, Derry.**

Thank you for submitting your complaint to Derry City and Strabane District Council which was received on 12 March 2019.

We have investigated this matter thoroughly as part of our Feedback and Complaints Policy and have reached the following outcome.

Your objection letter with regards to planning application A/2011/0115/F was received on 4 June 2018 via the planning portal and was uploaded as an objection to the application on the 13 June 2018.

In relation to the last paragraph of your letter of the 4 June 2018 you wrote "please can it be confirmed what the Y, N and N/A stand for in the context of the Schedule 3 criteria, against which the likelihood of significant environmental effects was determined."

Firstly, I apologise that Council did not respond in a timely manner to answer your question as above.

**Derry**

C/o Council Offices  
98 Strand Road  
Derry  
BT48 7NN

**Strabane**

C/o Council Offices  
47 Derry Road  
Strabane  
BT82 8DY

+44 (0) 2871 253 253  
info@derrystrabane.com  
www.derrystrabane.com

f Derry City & Strabane District Council  
@dcsdcouncil

As you are aware, the planning application when submitted in 2011 was processed by DOE Headquarters and was transferred to Derry City and Strabane District Council when planning powers were transferred to local Council in April 2015. The EA determination was carried out by DOE Headquarters in July 2011 and was placed on the application file.

This written determination records the then Departments opinion that having taken into account the statutory selection criteria, the planning application is not an EIA application and sets out the Departments reason for concluding that the development is unlikely to have significant effects on the environment.

Whilst I cannot account for the case officer's rationale at the time in their recording of Y, N and N/A, for the purposes of Council reviewing this negative EIA determination on transfer of the file from DOE, Council has carried out an EIA determination review checklist dated August 2016 which is available on the application file. The senior officer who carried out the review no longer works for this Council and therefore I have been unable to discuss the case with them. However, my interpretation is that where the case officer has indicated "Y", this criteria applies to the application and has been considered in the determination. Where the planning officer has recorded "N" for the following:

- i) Wetlands;
- ii) Coastal zones;
- iii) Mountain and forest areas;
- iv) Nature reserves and parks;
- v) Areas classified or protected under EEA states legislation...
- vi) Areas in which the environmental quality standards laid down in community legislation have already been exceeded;

It is considered that "N" has been recorded as the site does not fall within any of the above.

The site is not located within a densely populated area and therefore "N/A" has been recorded against this criteria.

It is appreciated by Council that we consider that now it is not sufficient to record that the selection criteria have been taken into account and is now best practice in this Council for the officer to record his/her overall judgement and brief reasons for this judgement.

The EA determination sheet as completed by DOE Headquarters was considered in full including the detailed consideration by the DOE planning officer in 2011.

We hope that you are fully satisfied with this response. If not, please contact us again and we will be happy to instigate the next stage of the complaints procedure.

In the meantime, Derry City and Strabane District Council welcomes any future comments and suggestions on how we can improve our services.

Yours sincerely



**Andree McNee**  
**Principal Planning Officer**